

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

**JIMMY DARYL STEPNEY,** )  
Petitioner, )  
v. )  
**JANET DOWLING,** )  
Respondent. )  
No. CIV-17-1164-R

## **ORDER**

Petitioner filed this *pro se* habeas petition pursuant to 28 U.S.C. § 2254 challenging the constitutionality of his state court conviction. The Court referred the matter to Magistrate Judge Shon Erwin for review pursuant to 28 U.S.C. §§ 636(b)(1)(B), 636(b)(3) and Fed. R. Civ. P. 72(b). [Doc. 4]. On July 31, 2018, Judge Erwin issued a Report and Recommendation wherein he recommended the petition be denied. The record reflects that Petitioner has not filed a timely objection to the Report and Recommendation nor sought an extension of time in which to file his object. Accordingly, the Report and Recommendation [Doc. 21] is hereby ADOPTED IN ITS ENTIRETY. The petition is hereby DENIED.

IT IS SO ORDERED this 28<sup>th</sup> day of August 2018.

David L. Russell  
DAVID L. RUSSELL  
UNITED STATES DISTRICT JUDGE